

**THE FOLLOWING
WILL BE COVERED
AT PRE-
CONSTRUCTION**

PRECONSTRUCTION CHECKLIST FOR CONTRACTORS: MEETING LABOR STANDARDS CONTRACT REQUIREMENTS

- I. INTRODUCTION. The following checklist has been prepared to assist contractors and subcontractors in meeting contractual labor standards responsibilities. All major administrative and procedural activities have been covered in the sequence they will occur as the construction project proceeds. Careful attention to and use of the checklist should result in a minimum number of problems with respect to labor standards.
- II. EXPLANATORY NOTES. The word "employer" as used below refers to the project contractor, each subcontractor, or each lower-tier subcontractor. Payrolls and other documentary evidence of compliance (marked with an asterisk) are required to be sent to the grantee for review -- all to be submitted through the project contractor. The delivery procedure is as follows:
- A. Each lower-tier subcontractor, after careful review, submits required documents to the respective subcontractor.
 - B. Each subcontractor, after checking his own and those of each lower-tier subcontractor he may have, submits required documents to the contractor.
 - C. The contractor, after reviewing all payrolls and other documentation, including his own, and correcting violations where necessary, submits all to the grantee.

All employers should check each of the following statements as being true. If any statement is not true, the contractor or his representative should contact the grant recipient community for special guidance.

III. BEFORE CONSTRUCTION BEGINS, EACH CONTRACTOR MUST:

- A. Not have been debarred or otherwise made ineligible to participate in any federal or federally assisted project. _____
- B. Receive appropriate contract provisions covering labor standards contract requirements. _____
- C. Review and understand all labor standards contract provisions. _____
- D. Receive the wage decision as part of the contract. _____
- E. Request through the recipient and receive the minimum wage for each classification to be worked on the project which was not included on the wage decision by the additional classification process and before allowing any such trade(s) to work on the project. _____
- * F. Request and receive certification of his apprentice program from the state's Bureau of Apprenticeship and Training (recognized by USBAT) and submit copy thereof to the recipient prior to employment on the project. _____

IV. AT CONSTRUCTION START THE CONTRACTOR MUST:

- A. Notify the grant administrator and the grantee of the start of construction date. _____
- B. Place each of the following on a bulletin board prominently located on the project site that can be seen easily by the workers (and replaced if lost or unreadable any time during construction):
1. Wage Decision _____
 2. Notice to Employees (WH 1321) _____
 3. Safety and Health Protection on the Job (DOL) _____
- C. Before assigning each project worker to work, obtain the worker's name, best mailing address and social security number (for payroll purposes). _____
- * D. Obtain a copy of each apprentice's certificate with the apprentice's registration number and his year of apprenticeship from the State BAT. _____
- E. Inform each worker of:
1. His work classification (journeyman or job title) as it will appear on the payroll. _____
 2. His duties of work. _____
 3. The U.S. Department of Labor's requirement on this project that he is either a journeyman, apprentice or laborer. _____
 - If journeyman, he is to be paid journeyman's minimum wage rate or more. _____
 - If apprentice, he is to be paid not less than the apprentice's rate for the trade based on his year of apprenticeship. _____
 - If laborer, he is to do laborer's work only – not use any tool or tools of the trade – and not perform any part of a journeyman's work – and is to be paid the laborer's minimum wage rate or more. _____

F. Understand the requirements that each laborer or mechanic who performs work on the project in more than one classification within the same workweek shall be classified and paid at the highest wage rate applicable to any of the work which he performs unless the following requirements are met:

1. Accurate daily time records shall be maintained. These records must show the time worked in each classification and the rate of pay for each classification, and must be signed by the workman.
2. The payroll shall show the hours worked in each classification and the wage rate paid for each classification.
3. The payroll shall be signed by the workmen or a signed copy of the daily time record shall be attached thereto.

G. Inform each worker of his hourly wages (not less than the minimum wage rate for his work that is stated in the wage decision).

1. Time and a half for all work over 40 hours any workweek (see Contract Work Hours Safety Standards Act).
2. Fringe Benefits, if any (see Wage Decision for any required benefits).
3. Deductions from his pay.

H. Inform each worker that he is subject to being interviewed on the job by the Grant Administrator, Grantee, Office of Intergovernmental Assistance, Department of Labor, or other U.S. Government inspector, to confirm that his employer is complying with all labor requirements.

I. Inform each journeyman and each apprentice that a journeyman must be on the job at all times when an apprentice is working.

V. DURING CONSTRUCTION

A. Each employer must:

1. Not select, assign, pay different pay rates to transfer, upgrade, demote, lay off, nor dismiss any project worker because of race, color, religion, sex or national origin.
2. Employ all registered apprentices referred to him through normal channels up to the applicable ratio of apprentices to journeyman in each trade used by the employer.
3. Maintain basic employment records accessible to inspection by the recipient or U.S. Government representatives.

4. Comply with all health and safety standards.

5. Pay all workers weekly.

* B. Submit weekly payrolls prepared on Form WH-347: Available from:

Superintendent of Documents
Government Printing Office
Washington, D.C. 20402

Contractors who wish to purchase the forms shall be urged to enter their orders promptly because the Superintendent of Documents takes six weeks to fill orders. It is permissible for contractors to reproduce the forms if they wish.

Some employers place all project workers on Payroll Form WH-347. The recipient does not review those project workers listed on the payroll who perform work which is descriptive of any of the following job titles that are exempt from labor requirements:

- Project superintendent
- Project engineer
- Supervisory foreman (less than 20% of time as a timekeepers working foreman)
- Payroll clerks
- Messenger
- Clerical workers
- Timekeepers
- Bookkeepers

The following information must be provided on the front page of the payroll (Form WH-347):

Heading (6 "blocks" of information)

1. Name of Employer. Name of employer is stated showing whether contractor or subcontractor.
2. Address. Street address or PO Box, city, state, and zip code of employer are stated.
3. Payroll Number. Each weekly payroll is numbered in sequential order (starting with Payroll No. "1").

If employer's workers perform no physical work on the project during workweek, he has submitted a "no work" letter for that workweek.

Payroll or employer's final workweek on the project (completion of his work) is marked "Final."

4. For Week Ending. The last date of the workweek is stated in this "block."

5. Project and Location. Name of project and city in which located is stated.

6. Column 1 – Worker's name as it appears on his paycheck is stated.

Worker's best mailing address and social security number is stated on Payroll No. 1 or the payroll on which his name first appears.

If worker changes his residential address while working on the project, his new address is stated on next applicable payroll.

If any two or more workers have the same name, their social security numbers are included on the payroll to note separate identification.

7. Column 2 – Number of withholding exemptions is for employer's convenience – not required to be completed.

8. Column 3 – The work classification (job title) for the worker is included in the wage decision and denotes the work that worker actually performed.

Note: If the applicable classification is not included in the wage decision, the contractor should call the recipient immediately and request the classification on the Additional Classification form.

Apprentice. If the worker is an apprentice, his State BAT registration number and year of apprenticeship is included in this column the first time the apprentice's name appears on the payroll.

Split Classification. If worker has performed more than one class of work during the workweek, such as carpenter and laborer, the division of work will be shown on separate lines of the payroll.

Accurate daily time records show the exact hours of work performed daily in each class of work and are signed by the affected workman.

Each class of work the worker performed is stated in Column 3 in separate "blocks," and his name repeated in corresponding "blocks" in Column 1.

The breakdown of hours worked daily under each work classification is stated in Column 4 and total for week in Column 5. The applicable wage rate for each classification of work is stated in Column 6. The payroll is signed by the workman in the related "blocks" or a signed copy of the daily time records are attached to the payroll.

If the above is not done, the worker is paid at least the highest minimum wage rate of all of the classes of work performed for all hours worked.

NOTES: Average Pay to Two Classes of Work Not Accepted. The employer shall not pay a semi-journeyman or semi-skilled laborer the average of journeyman and laborer's rates. The actual hours each worker uses tools of the trade (journeyman) and each hour he does not use tools of the trade (laborer) must be recorded in separate "blocks" in Column 3 of the payroll.

Helper. The work classification of "helper" is not accepted by the OIA unless included in the wage decision issued by the Secretary of Labor for the project. Any employee listed as "helper" in the absence of such a classification in the wage decision must be paid the journeyman's rate for hours he uses tools of the trade.

9. Column 4 – Hours worked, each day and date, for workweek are stated.

- Overtime Hours ("O"), if any, are stated separately from straight hours; ("S"), over 40 hours any workweek.

10. Column 5 – Total hours worked during the workweek are stated (the sum of sub-columns) in Column 4 – straight and overtime hours recorded separately.

11. Column 6 – Rate of pay, not less than the minimum wage rate for the work classification (see wage decision) is stated.

- The overtime rate of pay is not less than 1 and one-half times the worker's basic (straight) hourly rate of pay (Contract Work Hours Safety Standards).
- Apprentices. If a copy of the apprentice's registration certificate from the State BAT has not been submitted to recipient by employer (through contractor), the apprentice must be paid journeyman's rate.
- Piece Worker. Piece work must be stated in Column 6 at an hourly rate, the gross pay for the workweek (work on the project) divided by the total number of hours worked on the project during the workweek.

12. Column 7 – Gross amount earned equals straight hours shown in Column 5, times straight rate of pay shown in Column 6, plus overtime hours (if any) shown in Column 5, times overtime rate of pay shown in Column 6.

13. Column 8 – Deductions. Each deduction made is required by law or is:

- Voluntarily authorized by the worker in writing before the workweek began, or
- Provided in a bargaining agreement to be deducted from the respective worker's pay.

14. Column 9 – Net wages stated are Column 7 minus total deductions shown in Column 8.

The following information must be provided on the back of the payroll (Form WH-347). Each Employer must:

- Complete all blank spaces and understand the penalties for falsification.
- Check Item 4 if fringe benefits are included in the wage decision for any of the workers:
 - If fringe benefits are paid to approve fund(s), or
 - If paid directly to each affected worker included in paycheck for the workweek – his paycheck representing at least the pay of the applicable minimum wage rate plus the amount of required fringe benefits.

15. Manually sign the payroll in block marked "signature," and state his title.

The person who signed the payroll must be the employee or an official of the employer who legally is authorized to act for the employer.

16. Weekly Payroll Review. Each employer must promptly:

- Review the weekly payroll for compliance with all labor requirements (using this checklist) and make necessary corrections.
- Each subcontractor must receive a payroll or "no work" letter from each of his lower-tier subcontractors, review each and his own payroll, require necessary corrections, and submit all such payrolls to the contractor within five (5) calendar days from the last date of the workweek.
- Contractor must receive a payroll or "no work" letter from each subcontractor and each low-tier subcontractor, monitor each including his own payroll, require necessary corrections, and collectively submit them to the recipient within seven (7) work days of the last day of the respective workweek.

VI. AFTER PROJECT COMPLETION

Each employer will:

- Keep all weekly payrolls on the project for three (3) years after the contractor's project completion date.